LENNON, MURPHY & LENNON, LLC The GrayBar Building 420 Lexington Avenue, Suite 300 New York, NY 10170 (212) 490-6050 – Ph. (212) 490-6070 – Fax DATE FILED: 9\4\67

Attorneys for Defendant WESTERN BULK CARRIERS KS

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

CENTAURI SHIPPING LTD.,

07 CIV 4761 (KMK)

Plaintiff,

**ECF CASE** 

- against -

WESTERN BULK CARRIERS KS, WESTERN BULK CARRIERS AS, and WESTERN BULK AS,

Defendants.

## ORDER TO SHOW CAUSE WHY RULE B ATTACHMENT SHOULD NOT BE VACATED

Upon the annexed Declarations of Sara Gillingham Aukner, in-house Legal Counsel of Defendant Western Bulk Carriers A/S, the managing partner of Defendant Western Bulk Carriers K/S, Andrew S. Ridings, English solicitor for Western Bulk Carriers K/S in relation to this matter, and Patrick F. Lennon, the exhibits annexed hereto, the accompanying Memorandum of Law and the pleadings and proceedings heretofore had herein:

September, 2007 at / o'clock or as soon thereafter as counsel can be heard, why; (1) the Court's June 5, 2007 Ex Parte Order for issuance of process of maritime attachment and garnishment should not be vacated on the basis that Plaintiff's claim is premature as Plaintiff has failed to initiate the underlying proceedings upon which this action for enforcement of foreign judgment was premised; (2) the attachment should not be vacated because the defendant can be found within the district; (3) the attachment should not be vacated or reduced on an equitable basis; (4) an Order should not be issued dismissing the instant action for lack of jurisdiction; and (5) an Order should not be issued for such other and further relief as the Court may deem just and proper.

Let service of a copy of this Order and the accompanying Declarations, exhibits, and Memorandum of Law, be served upon Lyons & Flood, LLP, 65 West 36th Street, 7th Floor, New York, NY 10018, attorneys for the Plaintiff, on or before 5 \_\_\_\_ o'clock on Augus 39 , 2007 (service to be made either by courier, fax or e-mail) be deemed good and sufficient service.

Answering papers, if any, including but not limited to affidavits, affirmations, declarations, exhibits and/or memoranda of law, shall be served so as to be received by counsel for the movant, Lennon, Murphy & Lennon, LLC by fax or e-mail on or before the 31st day of منحيناً, 2007 by \_\_\_\_\_ o'clock. Reply papers, if any, shall be served so as to be received by counsel for the Plaintiff, Lyons & Flood, LLP by fax or e-mail on or before the day of September, 2007 by 500, o'clock p.m.

Dated: New York, NY August 28 , 2007